

**In the Drawings**

Figures 1 and 2 have been amended to correct minor informalities. Specifically, Figures 1 and 2, have been amended to include a --Prior Art—legend. Replacement Sheets for Figures 1 and 2 are attached hereto in accordance with 37 C.F.R. 121(d). Additionally, for the Examiner's convenience, a "Marked-Up" version of these drawing sheets is also attached, showing the changes that were made.

### **REMARKS**

Claims 1-6 are pending. Claim 1 has been amended. Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

#### ***In the Drawings***

Figures 1 and 2 were objected to for not being labeled as "Prior Art". As indicated by the attached --Replacement Sheets--, Applicant has amended Figure 1 and Figure 2 in accordance with the Examiner's suggestions. Accordingly, Applicant respectfully submits that this objection is moot.

#### ***Claim Rejections Under 35 U.S.C. § 112***

Claims 1 and 3-6 were rejected under 35 U.S.C. § 112, first paragraph. Specifically, the Office Action indicates that claim 1 recites inter-packet data service node handoff but that no target-PDSN is recited in claim 1. Applicants have amended claim 1 to more clearly point out and claim the subject matter which Applicants regard as the invention. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

#### ***Nonstatutory Double Patenting***

Claims 1, and 3-6 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 1 and 3-6 of Application No. 10/026,825. Applicants submit that Applicant No. 10/026,825 has been abandoned since February 8, 2005 for failure to respond to the outstanding Office Action. Accordingly, Applicants respectfully submit that this rejection is moot.

#### ***Claim Rejections Under 35 U.S.C. § 103***

Claims 1-6 were rejected under 35 U.S.C. § 103(a) over Barna (U.S. Publication No. 2002/0046277) in view of Madour (U.S. Publication No. 2003/0053431). Applicants respectfully traverse this rejection.

Claim 1 recites, in part, a method for performing a hard handoff that includes transmitting or receiving user packet data exchanged between the MS and the T-BSC through the established channel link to or from the S-PDSN in case a hard handoff is completed. The Office Action, on pages 6 and 7, alleges that Barna teaches this feature of claim 1. Applicants respectfully disagree.

As recited in claim 1, a channel link passing through a target base station controller (T-BSC), a source base station controller (S-BSC), a source packet control function (S-PCF) and a source-PDSN (S-PDSN) is established by establishing a channel link between the S-BSC and the T-BSC via a mobile station center (MSC) in an active packet session mode and after performing a hard handoff between the S-BSC, the T-BSC and a mobile station (MS), the transmitting or receiving of user packet data exchanged between the MS and the T-BSC is performed through the established channel link to or from the S-PDSN. In contrast, Barna discloses that the handoff solicitation is initiated by PDSN2 toward PDSN1 which results in the establishment of a PP connection (71 and 72) and that it is this PP connection which is used to deliver data (79) to the MS. See Figure 2. Barna does not teach or even suggest setting up a channel link passing through a target base station controller (T-BSC), a source base station controller (S-BSC), a source packet control function (S-PCF) and a source-PDSN (S-PDSN) by establishing a channel link between the S-BSC and the T-BSC via a mobile station center (MSC) and using that established channel link to transmit or receive user packet data since Barna teaches creating a new PP connection for transmitting data to the MS. Madour fails to remedy at least these deficiencies of Barna. Accordingly, no combination of Barna and Madour teach or suggest, a method for performing a hard handoff that includes transmitting or receiving user packet data exchanged between the MS and the T-BSC through the established channel link to or from the S-PDSN in case a hard handoff is completed, as recited in claim 1.

Claims 2-6 are believed allowable for at least the same reasons presented above with respect to claim 1 by virtue of their dependence upon claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

### **Conclusion**

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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FIG. 1 (PRIOR ART)

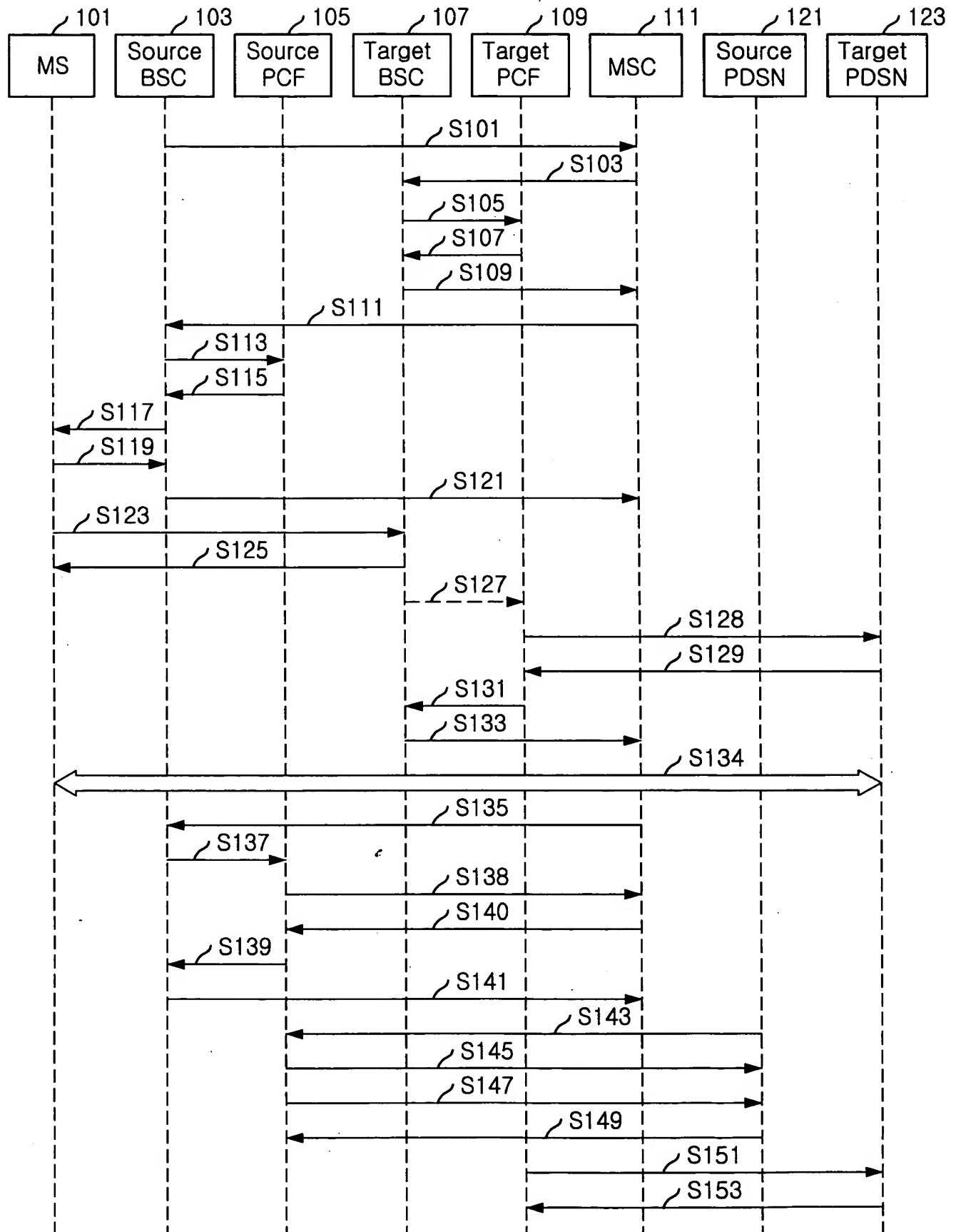




FIG. 2 (PRIOR ART)

